

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - -X

STUART SHERMAN, individually and :  
on behalf of all others similarly :  
situated, :

Plaintiff, :

- against - :

MCDERMOTT INTERNATIONAL, INC., :  
et al., :

Defendants. :

- - - - -X

ANITA IMBESI, individually and :  
on behalf of all others similarly :  
situated, :

Plaintiff, :

- against - :

MCDERMOTT INTERNATIONAL, INC., :  
et al., :

Defendants. :

- - - - -X

CHATTANOOGA FIRE AND POLICE :  
PENSION FUND, individually and :  
on behalf of all others similarly :  
situated, :

Plaintiff, :

- against - :

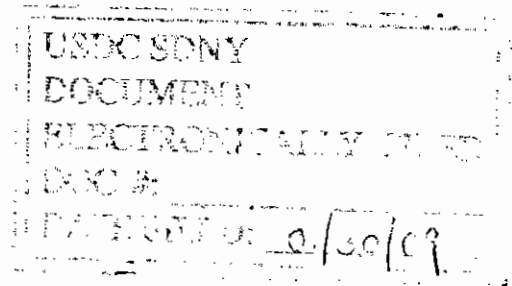
MCDERMOTT INTERNATIONAL, INC., :  
et al., :

Defendants. :

- - - - -X

CHIN, District Judge

A pre-trial conference was held today. Before the  
Court were motions to consolidate Sherman v. McDermott



ORDER

08 Civ. 9943 (DC)  
08 Civ. 10615 (DC)  
09 Civ. 570 (DC)

International, Inc. and Imbesi v. McDermott International, Inc.  
 The third action, Chattanooga Fire and Police Pension Fund v.  
McDermott International, Inc., was filed January 20, 2009 and  
 raises the same questions of law and fact as the other two  
 actions. For the reasons stated on the record, and in light of  
 the fact that no opposition to consolidation of all three cases  
 was raised, it is hereby ordered as follows:

(1) The motion to consolidate is granted, and all three  
 cases shall be consolidated. See Fed. R. Civ. P. 42. As some  
 counsel had not yet reviewed the Chattanooga complaint, any party  
 may move for reconsideration of the consolidation within 10 days  
 hereof;

(2) A Master File is established for this proceeding.  
 The Master File shall be civil action No. 08 Civ. 9943 (DC). The  
 Clerk of the Court shall file all pleadings in the Master File  
 and note such filings on the Master Docket;

(3) Every pleading in the action shall have the  
 following caption:

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- - - - - x
IN RE MCDERMOTT INTERNATIONAL,      :      No. 08 Civ. 9943 (DC)
INC. SECURITIES LITIGATION          :
                                     :
- - - - - -x
    
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(4) This order shall apply to each case raising common  
 questions of law and fact that is subsequently filed in this  
 Court, or is transferred to this Court, and is consolidated with  
 this action;

(5) When a case raising common questions of law and fact is hereafter filed in this Court or transferred from another Court, the Clerk of the Court shall:

(a) File a copy of this order in the separate file for such action;

(b) Mail a copy of this order to the attorneys for the plaintiff(s) in the newly-filed or transferred case and to any new defendant(s) in the newly-filed or transferred case; and

(c) Make the appropriate entry in the Master Docket;

(6) Each new case raising common questions of law and fact that is filed in this Court or transferred to this Court shall be consolidated with this action, and this order shall apply thereto. A party may object to consolidation or any provision of this order within 10 days of the date this order is served on the party. Defendants may object to consolidation of any subsequently-filed or transferred action within 10 days of consolidation.

SO ORDERED.

Dated: New York, New York  
January 30, 2009



DENNY CHIN  
United States District Judge